

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
TYLER DIVISION**

BLUE SPIKE, LLC	§	Civil Action No. 6:12-CV-499 MHS-CMC
<i>Plaintiff,</i>	§	
	§	LEAD CASE
v.	§	
	§	
TEXAS INSTRUMENTS, INC.	§	
<i>Defendants</i>	§	

BLUE SPIKE, LLC,	§	Civil Action No. 6:12-CV-576 MHS-CMC
<i>Plaintiff,</i>	§	
	§	CONSOLIDATED CASE
v.	§	
	§	
AUDIBLE MAGIC CORPORATION,	§	
FACEBOOK, INC., MYSPACE, LLC,	§	
SPECIFIC MEDIA, LLC,	§	
PHOTOBUCKET.COM, INC.,	§	
DAILYMOTION, INC.,	§	
DAILYMOTION S.A., SOUNDCLOUD,	§	
INC., SOUNDCLOUD LTD., MYXER,	§	
INC., QLIPSO, INC., QLIPSO MEDIA	§	
NETWORKS LTD., YAP.TV, INC.,	§	
GOMISO, INC., IMESH, INC.,	§	
METACAFE, INC., BOODABEE	§	
TECHNOLOGIES, INC., TUNECORE,	§	
INC., ZEDGE HOLDINGS, INC.,	§	
BRIGHTCOVE INC.,	§	
COINCIDENT.TV, INC., ACCEDO	§	
BROADBAND NORTH AMERICA,	§	
INC., ACCEDO BROADBAND AB,	§	
AND MEDIAFIRE, LLC	§	
<i>Defendants.</i>	§	

STIPULATION REGARDING EXPEDITED BRIEFING

TO THE HONORABLE JUDGE OF SAID COURT:

NOW COMES, Defendant Audible Magic Corporation (“Audible Magic”) and files this Stipulation Regarding Expedited Briefing on the Motion for Hearing on the Motion to Strike

Blue Spike LLC's ("Blue Spike") Infringement Contentions (Dkt. No. 1867) and hereby stipulates to the following:

1. On November 14, 2014, Defendant Audible Magic Corporation filed a Motion for Hearing on its Motion to Strike Blue Spike's Infringement Contentions, Dkt. No. 1867.

2. The parties request the Court set the following briefing schedule on the Motion for Hearing:

- Plaintiff Blue Spike, LLC's Opposition to Defendant's Motion for Hearing shall be due on Tuesday, November 25, 2014, after which the Motion for Hearing shall be ripe for consideration.
- The parties agree that no reply or sur-reply will be filed.

3. Plaintiff Blue Spike, LLC has agreed to this stipulation.

WHEREFORE, Audible Magic Corporation respectfully requests that the Court grant the expedited briefing schedule as outlined above and in the attached Order.

Dated: November 20, 2014

/s/ Eric H. Findlay

Eric H. Findlay (Texas Bar No. 00789886)

Brian Craft (Texas Bar. No. 04972020)

Walter W. Lackey, Jr. (Texas Bar No. 24050901)

FINDLAY CRAFT, P.C.

102 N. College Ave., Suite 900

Tyler, TX 75702

Telephone: (903) 534-1100

Facsimile: (903) 534-1137

efindlay@findlaycraft.com

bcraft@findlaycraft.com

wlackey@findlaycraft.com

Gabriel M. Ramsey– *LEAD ATTORNEY*
I. Neel Chatterjee
ORRICK, HERRINGTON & SUTCLIFFE, LLP
1000 Marsh Road
Menlo Park, CA 94025
Telephone: (650) 614-7400
Facsimile: (650) 614-7401
gramsey@orrick.com
nchatterjee@orrick.com

Alyssa M. Caridis
ORRICK, HERRINGTON & SUTCLIFFE, LLP
777 S. Figueroa St.
Suite 3200
Los Angeles, CA 90017
Telephone: (213) 629-2020
Facsimile: (213) 612-2499
acaridis@orrick.com

Christopher J. Higgins
ORRICK, HERRINGTON & SUTCLIFFE, LLP
1152 15th Street, NW
Washington, DC 20005
Telephone: (202) 339-8418
chiggins@orrick.com

Attorneys for Defendants Audible Magic, Corp.,
Facebook, Inc., Myspace LLC, Specific Media LLC,
Photobucket.com, Inc., DailyMotion, Inc., DailyMotion
S.A., SoundCloud, Inc., SoundCloud Ltd., Myxer, Inc.,
Qlipso, Inc., Qlipso Media Networks, Ltd., Yap.tv, Inc.,
GoMiso, Inc., iMesh, Inc., Metacafe, Inc., Boodabee
Technologies, Inc., Zedge Holdings, Inc., Brightcove Inc.,
Coincident.TV, Inc., Accedo Broadband North America,
Inc., Accedo Broadband AB, MediaFire, LLC, WiOffer
LLC, and Harmonix Music Systems, Inc.

CERTIFICATE OF SERVICE

The undersigned certifies that the foregoing document was served electronically on
opposing counsel pursuant to Local Rule CV-5(a)(7)(C) on November 20, 2014.

/s/ Eric H. Findlay
Eric H. Findlay